

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:19-cv-05190-GHW**

Seife v. United States Environmental Protection Agency
Assigned to: Judge Gregory H. Woods
Cause: 05:552 Freedom of Information Act

Date Filed: 06/03/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Charles Seife

represented by **David Alan Bahr**
Bahr Law Offices, P.C.
1035 1/2 Monroe Street
Eugene, OR 97402
(541) 556-6439
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ATTORNEY TO BE NOTICED

V.

Defendant

**United States Environmental
Protection Agency**

represented by **Jean-David Barnea**
U.S. Attorney's Office, SDNY (Chambers
Street)
86 Chambers Street
New York, NY 10007
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/03/2019	<u>1</u>	FILING ERROR – PDF ERROR – COMPLAINT against Environmental Protection Agency. (Filing Fee \$ 400.00, Receipt Number ANYSDC-17006674) Document filed by Charles Seife.(Bahr, David) Modified on 6/4/2019 (pne). (Entered: 06/03/2019)
06/03/2019	<u>2</u>	FILING ERROR SUMMONS NOT LINKED TO CORRESPONDING PLEADING – REQUEST FOR ISSUANCE OF SUMMONS as to United States Environmental Protection Agency, re: <u>1</u> Complaint. Document filed by Charles Seife. (Bahr, David) Modified on 6/5/2019 (pne). (Entered: 06/03/2019)
06/03/2019	<u>3</u>	CIVIL COVER SHEET filed. (Bahr, David) (Entered: 06/03/2019)
06/03/2019	<u>4</u>	MOTION for Dave Alan Bahr to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17007138. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Charles Seife. (Attachments: # <u>1</u> Affidavit Declaration of David Bahr in Support of Motion to Appear PHV, # <u>2</u> Certificate of Good Standing, # <u>3</u> Text of Proposed Order Proposed Order Granting Motion to Appear PHV)(Bahr, David) (Entered: 06/03/2019)
06/03/2019		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>4</u> MOTION for Dave Alan Bahr to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17007138. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (jc) (Entered: 06/03/2019)
06/04/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney David Alan Bahr to RE-FILE Document No. <u>1</u> Complaint. The filing is deficient for the following reason(s): the PDF attached to the docket entry for

		<p>the pleading is not correct; the case number on the pleading (19-CV-19-5190) is incorrect. Re-file the pleading using the event type Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. If the deficiency/deficiencies are not corrected within five (5) days per Amended Standing Order 15-mc-00131 this case will be administratively closed. Initial Pleading due by 6/10/2019. ***DO NOT USE GOOGLE CHROME OR SAFARI BROWSERS*** (pne) (Entered: 06/04/2019)</p>
06/05/2019	<u>5</u>	COMPLAINT against Environmental Protection Agency. Document filed by Charles Seife.(Bahr, David) (Entered: 06/05/2019)
06/05/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Gregory H. Woods. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pne) (Entered: 06/05/2019)
06/05/2019		Magistrate Judge Sarah Netburn is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pne) (Entered: 06/05/2019)
06/05/2019		Case Designated ECF. (pne) (Entered: 06/05/2019)
06/05/2019		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney David Alan Bahr. The party information for the following party/parties has been modified: United States Environmental Protection Agency. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error. (pne) (Entered: 06/05/2019)
06/05/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David Alan Bahr to RE-FILE Document No. <u>2</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): summons is linked to a pleading that was not accepted by the court; case number entered on the summons request PDF is incorrect; party name in the 'To' field on the summons request PDF must exactly match party name as it appears on the pleading caption. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pne) (Entered: 06/05/2019)
06/05/2019	<u>6</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Environmental Protection Agency, re: <u>5</u> Complaint. Document filed by Charles Seife. (Bahr, David) Modified on 6/6/2019 (dnh). (Entered: 06/05/2019)
06/06/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney David Alan Bahr to RE-FILE Document No. <u>6</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): Defendant Name Error; the defendant name listed on the PDF must exactly match the party of record, do not use abbreviations. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (dnh) (Entered: 06/06/2019)
06/06/2019	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Environmental Protection Agency, re: <u>5</u> Complaint. Document filed by Charles Seife. (Bahr, David) (Entered: 06/06/2019)
06/07/2019	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to United States Environmental Protection Agency. (dnh) (Entered: 06/07/2019)

06/17/2019	<u>9</u>	ORDER granting <u>4</u> Motion for Dave Alan Bahr to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Gregory H. Woods)(Text Only Order) (Daniels, Anthony) (Entered: 06/17/2019)
06/17/2019	<u>10</u>	NOTICE OF INITIAL CONFERENCE: Initial Conference set for 8/21/2019 at 03:30 PM in Courtroom 12C, 500 Pearl Street, New York, NY 10007 before Judge Gregory H. Woods; and as further set forth herein. SO ORDERED. (Signed by Judge Gregory H. Woods on 6/17/2019) (anc) (Entered: 06/17/2019)
06/21/2019	<u>11</u>	CERTIFICATE OF SERVICE of Notice of Initial Conference (dkt. #10) and Individual Rules Of Practice In Civil Cases For Judge Woods served on United States Environmental Protection Agency on June 21, 2019. Service was made by Mail. Document filed by Charles Seife. (Bahr, David) (Entered: 06/21/2019)
06/24/2019	<u>12</u>	CERTIFICATE OF SERVICE (FOIA CASE) of Summons and Complaint served. United States Environmental Protection Agency served on 6/24/2019, answer due 7/24/2019. Service was made by Mail. Document filed by Charles Seife. (Bahr, David) (Entered: 06/24/2019)
07/24/2019	<u>13</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Environmental Protection Agency.(Barnea, Jean–David) (Entered: 07/24/2019)
07/31/2019	<u>14</u>	CONSENT LETTER MOTION to Adjourn Conference <i>currently set for August 21, 2019 at 3:30 pm.</i> addressed to Judge Gregory H. Woods from David Bahr dated July 31, 2019. Document filed by Charles Seife.(Bahr, David) (Entered: 07/31/2019)
08/01/2019	<u>15</u>	ORDER: granting in part <u>14</u> Letter Motion to Adjourn Conference. Application granted in part. The initial pre-trial conference scheduled for August 21, 2019 is adjourned to October 18, 2019 at 4:30 p.m. The joint letter and proposed case management plan described in the Court's June 17, 2019 order, Dkt. No. 10, are due no later than October 4, 2019. Counsel for Plaintiff's request to appear by telephone at the initial pre-trial conference is denied. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 14. SO ORDERED. Initial Conference set for 10/18/2019 at 04:30 PM before Judge Gregory H. Woods. (Signed by Judge Gregory H. Woods on 8/01/2019) (ama) (Entered: 08/01/2019)
10/02/2019	<u>16</u>	PROPOSED CASE MANAGEMENT PLAN. Document filed by Charles Seife. (Bahr, David) (Entered: 10/02/2019)
10/18/2019		Minute Entry for proceedings held before Judge Gregory H. Woods: Initial Pretrial Conference held on 10/18/2019. (Court Reporter Paula Speer) (Daniels, Anthony) (Entered: 10/18/2019)
10/23/2019	<u>17</u>	ORDER. For the reasons discussed on the record during the initial conference held on October 18, 2019, the parties are directed to submit a joint letter updating the Court on the status of their negotiations regarding document production no later than October 25, 2019. (HEREBY ORDERED by Judge Gregory H. Woods on October 23, 2019) (Text Only Order)(Daniels, Anthony) (Entered: 10/23/2019)
10/24/2019	<u>18</u>	JOINT LETTER addressed to Judge Gregory H. Woods from AUSA Jean–David Barnea dated 10/25/19 re: FOIA Processing Schedule. Document filed by United States Environmental Protection Agency.(Barnea, Jean–David) (Entered: 10/24/2019)
10/28/2019	<u>19</u>	MEMO ENDORSEMENT on re: <u>18</u> Letter filed by United States Environmental Protection Agency. ENDORSEMENT: Application granted. The parties are directed to submit a joint status letter no later than February 3, 2020 regarding the status of Defendant's productions. (Signed by Judge Gregory H. Woods on 10/26/2019) (mro) (Entered: 10/28/2019)
11/26/2019	<u>20</u>	JOINT LETTER addressed to Judge Gregory H. Woods from AUSA Jean–David Barnea dated 11/26/19 re: FOIA Search Terms. Document filed by United States Environmental Protection Agency.(Barnea, Jean–David) (Entered: 11/26/2019)